

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIAN RODRIGUEZ,

Plaintiff,

v.

R. ENLERS,

Defendant.

No. 2:20-cv-2399-JAM-EFB P

ORDER

Plaintiff, a former state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 25, 2022, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 25, 2022, are adopted in full;
2. Defendant's motion for summary judgment (ECF No. 28) is granted;
3. This case is dismissed without prejudice for failure to exhaust prior to filing suit;
4. Plaintiff's motion for access to documents (ECF No. 41) is denied as moot; and
5. The Clerk shall enter judgment accordingly and close the case.

Dated: April 1, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE